

DEATH OF USURY  
OR,  
THE DISGRACE OF  
USURERS.

COMPILED MORE PITHILY  
THEN HITHERTO HATH  
beene published in English.

Wherein *Usury* is most lively unfolded, defined, and  
confuted by Divines, Civilians, Canonists, Statutes,  
Schoole-men, old and new Writers.

With an Explanation of the Statutes now in force concerning  
*Usury*, very profitable for this present Age.

Ambrosius in 1. Thessal. 4. Chap.

*Hi petunt inferos, ut discant verum esse in morte quod  
in vita credere noluerunt.*



LONDON,

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WITNESSES IN THE COURT OF  
SIDES THE AUTHORITY  
of the Holy See

JOHN BAPTIST  
LORD OF THE

JOHN BAPTIST LORDE  
of the Holy See

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JOHN BAPTIST LORDE  
of the Holy See  
Black-Horse-Alley  
near Fleet-Street 1634



Writers used in this book  
SIDES THE AVTHORITIES  
of the holy Scriptures.

A

S. Augustine.

S. Ambrose.

T. Aquinas.

Aretius.

Alphonfus.

Aristotle.

B

S. Barnard.

S. Basil.

Bullinger.

Brentius.

Bucer.

Theo. Beza.

Gabr. Biel.

Brunnion.

Balaus

C

S. Chrysostome.

M. Calvin.

Camisius.

12. Centuries.

Consilium Agathense.

Consilium Nicen.

Consil. Ma. papa.

Cod. de V. iuris.

Cato.

D

Daneus.

E

D. Aepinus.

Erasmus.

G

Gualter.

Gerson.

Graftons Chronicle.

H

S. Hierome.

Hemingeus.

Hermenopolus.

Hesiodus.

I

B. Iuell.

Iulius.

Iustinus.

K

D. Kimbus.

L

Luther.

Laboher

Lactantius.

D. P. Mar-

D.P.

Menander

P

Pagne.

Pomerianus.

Plutarch.

Plato.

R

Rodolphus.

Tremellius.

Tullius.

W

theol. wittenberge.

D. wilson.

Z

Zwinglius.







# V S V R A



This is so called because it doth *Considerare*.

The word *Vsuria* is taken in two *properly* senses or significations: *Improperly*.

*Properly*

it signifieth the use of a thing, as *Erasmus* hath well observed, that the name of *Vsurie* is taken from *using*, and is to be applyed not onely to this but to all other things: the very Etymologie of the worde sheweth it; the Latines have these rearmes, *Vsuria Solis*, *Vsuria Luna*, *Vsuria Terra*, &c. Hereof *M. Bullinger* said well, The name of *vsurie* is not euill, but the abusing of it in applying it to ill trades and actions.

*Improperly*

the name of *Vsurie* is so taken *Causa pro effectu* when we take *vsurie* for the increase and augmentation that arise of it, it is called *vsura* of the Latinistes, because there is received a certaine recompence for the use of the mony, the Gracians call it *Téxov*, as it were a certaine thing bred of the principall, the Hebricians call it *to* of biting.

There

There be three kinds of *Fenus*.

- 1. *Fenus naturale*.
- 2. *Fenus spirituale*.
- 3. *Fenus politicum*.

1. *Fenus naturale*, is that which cometh and increaseth by tillage of the ground. This *usurie* is lawfull, because it is the ordinance of God in the beginning. *Cain* is called a tiller of the ground, many of our fore-fathers have growen rich by this *usurie* as *Abraham*, *Lot*, and others. It is so necessarie that no common wealth can stand without it. *Menander* doeth call the *land-inst*, because in yeelding fruit it doeth the dutie of a good ground and therefore we were vniust if we shoulde not reape it.

2. *Fenus spirituale*, wherof be two sorts,

1. *Giving of Almes.*

2. *Imploying of Gods gifts.*

*Giving of Almes*, is generally commended in the Scriptures, and he that giveth is as it were *generator Domini* and shall be well rewarded: for *Salomon* saith, he that giveth to the poore shall not lacke.

The imploying of the giftes and graces of God doeth yeeld in the ende a spirituall increase, and that is meant by the Talent in *Matthew*.

3. *Fenus politicum*, wherof there be also two sorts,

*Fenus actuale*.

*Fenus mentale*.

*Fenus actuale*, is committed when one doth any act for gaine or increase, wherof there be two kinds

1. *Fenus liberale*.

2. *Fenus ex pacto*.

*Fenus*



*Fœnus liberale* is, when he that borroweth desireth to make some recompence, the same which is received above the principall is *Usurie*, and is not to be condemned in two respects. 1. because it is a duty of thankfulnesse to make amends for a benefit received. Tully could say, *Ingratus est qui gratiā bene merenti nō reponit*: the Scriptures in many places condemne vnthankfulnesse. 2. because it proceedeth of the givers free-will: & *volenti non fit iniuria*, saith Tho. Aquinas: for what is more free then gift.

*Usura explicata.*

*Fœnus ex pacto*, whereof there be two sorts

*Usura palliata.*

*Usura explicata*, is such as it is indeede as when one doth covenant to take 10. in the hundreth for a yere.

*Usura palliata*, is a close and cloked *usurie*, as when one lendeth money and shroudeth it vnder some other bargaine.

*Fœnus mentale* is when one lendeth and doth not compact but hopeth for increase or gaine. Sole hope maketh a man an *usurer* saith one of the Canonistes; he that lendeth (saith Camisius) vnder the hope of gaine is an *usurer*: S. Augustine vpon one of the Psalmes saith, *If thou dost but expect to receive more then thy owne thou art an usurer.*



## *What Usurie is.*

**T**He civill Lawes in the *Code de Usuris* doe call that *Usury* which is received above the principall.

*Aretius* saith, whatsoever is taken above the principall is *Usurie*.

*Rodolphus* saith whatsoever in lending is taken above the principall



principall is *vsurie*.

D. Kimbus writing vpon the 18. of Ezek. doth say that *vsury* is expressed by this addition of the prophet, *and receive no increase*. This definition may stand so farre forth as it doth not condemne *saenus liberale* or *gratuitum*.

In the Decrees *cap. vsur. 14 caus. & 3. quest.* that is *vsurie* when more is required then was delivered or given.

Melancthon saith, *vsurie* is a gaine demanded aboue the principall only for the pleasure or benefit shewed in lending.

Consilium Agathense say, when there is more required then is lent, that is *vsurie*.

This definition differ from the former, here gaine is required, there but offered or taken. And this definition doth cut off *Interest*, which Melancthon saith is a debt one owe to another by the law of nature, & it is due by the opinion of Hemingeus two manner of waies: 1. *ex damno habito*, 2. *ex lucro cessante*.

*Ex damno habito*, as when I borrow money for another and enter my bond for it, and take the like of him that receiue the mony. I may lawfully recover that I loose by the meanes of that mony. Bishop Iuel is of this mind also.

*Ex lucro cessante*, as if a shop-keeper lend mony freely to his neighbour till such a day, having then occasion to vse it at some faire to lay it out in wares, if he breake touch the shop-keeper may lawfully take so much as he sustained losse for want of his money to lay out.

Brentius saith, when men require a gaine of the office of lending it is *vsurie*. This definition is imperfect: for Hemingeus gives an instance, If I lend a marchant 100. pound vnder these conditions; if he gaine, I will have the moiety of the gaines: if he loose, if it be not *ex culpa larga*, I am content to beare halfe the losse: here is gaine required of office but this contract is not offensive.

The



The Divines of *Wittenberge* say, when a man require but an halfe penny or a droppe of water for the money he lendeth it is *usurie.*

*S. Ambrose* saith, that a dish of meate, a garment, or whatsoe-  
ver commeth about the principall is *usurie.*

From the opinions and iudgements of most writers *Actual*  
*usurie* is thus defined.

*It is a lending for gaine by compact.*

So that there doth concurre necessarily 3. things in this kinde  
of described *usurie.*

There must be  $\left\{ \begin{array}{l} \text{a lending.} \\ \text{a lending for gaine.} \\ \text{a compacting for gaine.} \end{array} \right.$

That the truth of this may pregnantly appeare, every severall  
point must of necessitie be prooved.

### 1. *Usurie is a lending.*

**T**hat *Usurie* is in lending it appeareth in the 22. of *Exod.*  
*If thou lend money to my people, &c.* and in *Deut. 23. unto*  
*a stranger thou maist lend upon usurie.* *Bullinger* intrea-  
ting of this argument saith, that *usurie* is committed only in len-  
ding. *Brentius* vpon *Lev. 25.* saith as much. *D. Wilson* saith, there  
can be no *Usury* where there is no Lending. I had thought to  
haue alledged that saying in the 6. of *Luke, Lend looking for no-*  
*thing againe:* but that *M. Bucer* and *M. Calvin* say it is not  
meant of *usurie* at all.

### *What Lending is.*

**H***emingeus* in his treatise vpon *usury* defineth lending thus.  
*Mutatio est contractus, &c.* Lending is a contract which  
transfer the right & dominiõ of a thing to another without *in-*  
*terposito pretio,* but with promise to have the same thing delive-



red in *specie*. As if I lend a mā 100. pound for a yere, I do not only yeeld the use but the proprietie of it, only to haue that I lend in the saue kind without gaine, or if I lend oyle or wine or any thing subiect to lending (which be such things as consist in *Waight, Number, and Measure*) I must observe the like course yet *Hesiodus* speaking hereof willethe the borrower to deliver iust measure & *amplius siquidem possis* that he may finde his neighbour ready to pleasure him againe *si alias indigeas*, or as *Heming*. saith, *pertinebit ad gratitudinem*. The Latines make a difference betweene *Mutatio* and *Accommodatio*, when any doth *mutuum dare* he lookes but for his owne in *eadem specie*, but when he doth *Accommodare* he lookes to receiue it in *individo*, as if he lends his horse to haue the same againe and not an other, or if he lets his house, to haue the same, and none other.

\*\*\*\*\*

## 2. Usurie is a lending for gaine.

**T**hat *usury* is a lending for Gaine it appeareth by the prophets repetition: *Thou hast taken usurie & the increase*, *Ezek. 22. 12.* this worde *increase*, is as much as gaine? as when a man lendeth 10. pound & take 11. pound: or 20 combs barley and take 22. for a yere, he hath not *incrementum ex usu*. *S. Ambrose* commendeth him to be a good man that doth lend and take no increase. *Nehemiah* did lend corne, and mony to his brethren without looking for gaine.

\*\*\*\*\*

## What it is to lend for gaine.

**G**abriel Biel saith, that gaine is the increase of mony, or the value of any thing that may be prized and measured for money



money. Whosoever lendeth his money, corn, wine, oyle, and receiue any thing for the vse of it, is an *Vsurer*. *S. Ambrose* and *Hierome* say there are many that will not take money, but certaine other gifts, this is *Vsurie*: whatsoeuer it be they receiue more then they lend, it is *Vsurie*, *Musc.* 579. Most writers condemne him which take money or monies worth for lending. *Hemingeus* giueth some instances; one man borrowes a hundred pounds and offereth vse for it, the lender refuse to take it, but tels him if he will bestow a gowne cloth of his wife, or the pasturing of a horse, or some of *S. Austens* workes, or such like, he will let him haue his money, this is *Vsurie* though it be cloaked.

### 3. *Vsurie is a lending for gaine by Compact.*

**T**hat there is a compacting for *Gayne*, it appeareth *Exod.* 22. the Lord saith, *Non impone vsuram, &c.* thou shalt not impose *vsurie* vpon thy brother, by which appeare to be a kinde of compact. *M. Beza* tearmes him to be *generator pacti*, which take or exact any thing by lending: hercof the Statute made in anno 11. *Henr.* 7. chap. 8. did forbid *vsurie* of contract or couenant.

### *What it is to Compact.*

**T**he *Civilians* tearme that a *Compact*, when as two men or  
 moc,

The death of *Vsurie*,  
 moc, doe conferre and consent together of a matter.

The Lawyers say there are two kinde of *Compacts*:  
 { *Pactum tacitum.*  
 { *Pactum expressum.*

*Pactum tacitum* is this, when as consent or agreement is intended; an instance hereof appears in Numb. 30. as when the parents of two children doe debate of a mariage betweene their children, the children stand by and heare all, but say nothing, by silence in the children *intenditur consensus*. Silence is many times to be taken as an answer betweene the *Vsurer* and the borrower: as for example, if a man comes to an *Vsurer* to borrowe money, and tels him he will allow him after ten in the 100. although the *vsurer* saith nothing, this is a kinde of compact: or if one comes to borrowe money, and the *vsurer* saith he will take after ten in the 100, albeit the borrower saith nothing, but takes the money, it is a kinde of *Compact*: and it is so vsuall, that M. Bucer saith, he is counted an impudent man that doth not offer *vsurie*.

*Pactum expressum* is either  
 { *Nudum.*  
 { *Vestitum.*

*Nudum*, the bare compact is, when one comes to borrowe money, the *vsurer* asketh him if he will giue vse for it, the borrower saith he will, this is so called, because the *vsurer* depends vpon the borrower what he will giue.

*Vestitum*, the certen or shrouded compact, is either in  
 { *Verbis.*  
 { *Scriptis.*

In *verbis*, when the borrower passeth his promise for the payment of vse.

In



In *scriptis*, when the *vsurer* takes specialty for the vse of his money.

## How farre *Vsurie* extendeth.

**V** *Surie* is not onely cloked, but also committed as well in many other things as in money, and therefore the Lorde doth not onely condemne *vsurie* of money, but also *vsurie* of meate, *vsurie* of any thing is put to *vsurie*, Deut. 23. 19.

*S. Hierome* saith, some suppose there is no *vsurie* but in money. This did the holy Scriptures foresee, which take away increase in all other things. *M. Bullinger* saith, that *vsurie* is committed in the vse of cattell, house and ground.

*Hemingeus* saith, that *vsurie* is committed in lending of all things, and doth hide it selfe vnder diuers kind of contracts, as buying, selling, lending, letting, exchanging, giuing to paunc, &c.

By the opinion of the Schoolemen, *vsurie* is taken so largely that it comprehendeth buying and selling.

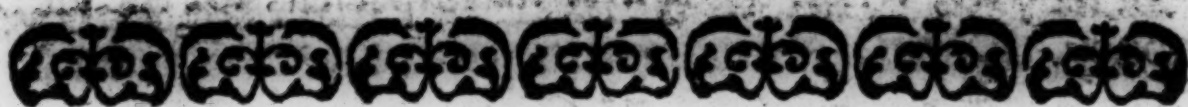
*M. Calvin* saith, *Multi contractus ab hominibus vafriis excogitati sunt, quibus inopes expilarent, sine ignominia vel dedecore, atque hodie nulla crudelior est rapacitas quam ubi absque mentione fœnoris vectigal debitoribus imponitur. Calvin. in Harmo.*

So that this generally toucheth Merchants, Shop-keepers, Corne-mongers, and all others that haue any trading and traffique in the common-weale. Yet we must take heede that we doe not condemne all profitable and lawfull contracts, as *Hemingeus* saith, *prætextu vsuræ propter similitudinem*: for that in no wise is iust; no contract is to be condemned *qui charitati proximi non aduersatur*.

Sithence *vsurie* is committed in so many things, it weare necessarie to knowe some of the greatest *vsuries* that the worlde might haue his appearance.

which





## *Which is the greatest Usurie.*

**I**F our *Usurie* in money were all one with that of the *Jewes*, the question were soone answered: for they tooke after 60. 70. 80. in the 100. It appeares in *Graftons Chronicle* that about the yeere of our Lord 1264. and in the 47. yeere of the raigne of *Henry* the 3. King of England, five hundred *Jewes* were slaine by the Citizens of London, because one *Iewe* would haue forced a Christian man to pay more then two pence for the *usurie* of twentie shillings the weeke: as for our *usurie* in money after the rate of 10. in the 100. it comes not to an halfe penny a weeke for twentie shillings: and therefore I take it to be the least *usurie* that is vsed this day in the land.



### *1. Wares and Marchandize.*

**H**E that puts forth money dare not exceede the rate of 10. in the 100. but he that vttereth ware doth make his rate to his owne contentment. In money they rest vpon the conscience of the borrower what he will bestow (for our laws allow nothing for vse:) In ware they vse their owne discretions in taking what they can get.

In money there may not be taken after 10. in the hundred, but within the time without trebble losse in ware they care not  
what



what they gaine, nor howe soone they make sale, so they may take money.

In money, the allowance is seene and knowne to others after 10. in the 100. In wares, the gaynes that are got be secret and concealed to them selues. One will not let to boast he hath saued aboute 30. in the 100. when the other durst not say he hath taken aboute 10. in the 100. for money.

It is ordinarie with occupiers to proportion the price of their wares according to the time of payment as well as *vsurers*.

Many occupiers will often vse these shifts whereof they haue no vse in money.

They will mixe their wares if they be ill with better, if good with worse, and so by chopping both away together deceiue the buyer.

They will giue bad measure, and vse false waights, whereof the Prophet *Micah* complaineth, Are yet the treasures of wickednes in the house of the wicked, and the scant measure that is abhominable, shall I iustifie the wicked ballances and the bagge of deceitfull waights, *Micah 6. 10, 11.*

To set a fayre glosse for gayne of their counterfeit ware, they will vse *Lying* and *Swearing*, they are so carried with the sa- uour of gayne, that they make no conscience of a lye, but as the Prophet saith, *They haue taught their mouthes to lye. Ier. 9. 5.* and that they may be the better beleued when they lye, they will vse swearing; for custome hath made it so common that they thinke periturie no impietie but worldly pollicie, and therefore it is true the same Prophet saith, *As a cage is full of birds, so are there houses full of deceit, thereby they are become great and waxen rich, Ier. 5. 27.*





## 2. Corne or Grayne.

**H**E that puts out an 100. pound for a yeere, may not take aboue 10. pound for the lone, albeit the borrower may peradventure gayne aboue 30. or 40. pound with the money, but he that laieth out 100. pound in *Corne* doth sometime gaine aboue 50. yea sometime 100. in the 100. for not long since the price of Corne so increased, that necessitie willed many rather to pay the penaltie of their bonds, then to make deliuerie of their bargains; hereupon some vnreasonable Corn-mongers, Malsters, and such like were grieued because they tooke no bills, as discontent of double gaines by their bonds.

It is a common practise in this countrey, if a poore man come to borrow money of a Malster, he wil not lend any, but tels him if he will sell some barley he will giue him after the order of fore-hand buyers, the man beeing driuen to distresse, sels his corne farre vnder foote, that when it comes to be deliuered he looseth halfe in halfe, oftentimes double the value.

I haue heard many of these fore-hand sellers say, that they had rather allowe after 20. pound in the 100. for money, then to sell these fore-hand bargaines of corne.

These are most extreame *Vsuries*, and they haue no colour to excuse it, but a reason of *Gabriell Byel*: for that the price of Corne is casuall in rising and falling: this is soone answered, howloeuver it may seeme casuall at the buying, the commoditie being deliuered, it is certen at the receipt, and therefore this can be no excuse to warrant excessive gayne.

*Malsters*





*Malsters and Cornemongers may  
use more deceit then Money-masters.*

**I**F money be not put forth there come no increase by keeping of it, that appears in the idle servant by the Talent, but they cannot be content to make present sale of their corne for a reasonable price, but many doe hoard and keepe their corne of purpose to inhaunce the price, and so oppresse the poore, as the Prophet (speaking in their person) saith, *That we may buy the poore for siluer, and the needie for shoes*, Amos 8. 8. and by keeping of it they doe not onely raise the price, but impair the corne, making it vsauorie at the sale: therefore in the same place it followes, *Yea and sell the refuse of wheate.*

In money they cannot be deceiued of their iust some, if they haue their sight, but in Corne they will abridge the measure many waies by deceit, when one least suspects, or can best see, which the Prophet well perceiued: for he saith that *they make the Ephah small, and the shekeil great, and falsifie the waights by deceit*, Amos 8. 5.

In money they may not exceede the rate of 10. in the 100. In corne they gaine by buying, and by giuing day in the sale to others they will gayne by the time.

*Aristotle* saith well, *fœnus est quasi fœtus*: for I take this to be one of the most extreame *Vsuries* in the land. Therefore *M. Calvin* saith, *Vsura nibilo deterior erit quam emptio*. in 8. *prac.* 375.





### 3. *Lands and Tenements.*

**T**Here are some that hire house and lande after 20. pound the yeare, and are good gayners by it, and yet they let the same to others and make after 60. pound the yeare, this case is too common.

I haue knowne others that haue laid out some 800. pound in purchase, and in lesse space then a yeere haue sold the same again for 1100. to another and readie payment.

I note these but by the way, but indeede if we would knowe the reason why Corne, Cattell, and such other commodities are so deare at this day, more then in other times before passed, we shall finde this to be the cause; the racking and vnreasonable rents of house and lande: for it is nowe come to this passe, that Farmars can not afford their commodities at indifferent prizes, for if they should, their extreame rents would inforce them to runne away.

The Rents of house and land are almost come to the rates of money, which is very vnreasonable if but in this respect, because Landes are immoueable and certen, but money is subiect to many casualties and aduentures, as shall appeare vpon the handling hereafter of the *Statute 13. Elizabeth.*

To speake generally of all kinds of *vsurie* were too tedious, but these may giue a light to the rest, notwithstanding this is to be noted as an vniuersall obseruation, that he which hath but 100. pound, and puts it forth, shall hardly maintaine his family with the lome of 10. pound, & yet many an one maintaineth him selfe



selfe and his charge with lesse then 40. pound by imploying the same in trading and traffique in other things.

If the Lord will not permit any Usury in money, much lesse will he suffer others in their severall callings to exact unreasonable gaine: for he doth not onely forbid one but the other. Deut. 23.



## How and in what sort Usurie is condemned by the word of God.

There be many places of prooffe for this purpose, some whereof follow.

|              |         |                 |                     |           |
|--------------|---------|-----------------|---------------------|-----------|
| Exodus. 22.  | } and { | Psal. 15.       | } Some adde these { | Psal. 55. |
| Levitic. 25. |         | Prov. 28.       |                     | Psal. 71. |
| Deuter. 23.  |         | Ezek. 18. & 22. |                     |           |

The whole Law is divided into three parts {  
Morall.  
Iudiciall.  
Ceremoniall.

It is much disputable among writers which of these three should apprehend *Usurie*; it were in vaine here to expresse their variable opinions: but I will briefly deliver the iudgements of the learned sort.

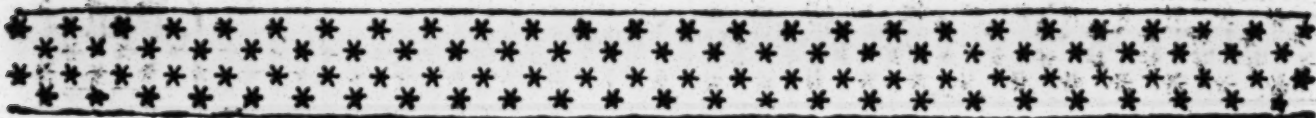
The matter of *usurie* is Politicall or Iudiciall.

So say {  
M. Calvin in { Octav. preceptum. 375.  
                  { Harmon. in Exod. Levit. &c.  
Philip. Melancthon in Epitom. Philosophiæ moralis.  
Daneus Aethic. super precep. octav. and many others.  
That

That we are not tyed to the Iewes *Policies* or *Judicial* lawes,

Appeares by { *M. Calvin. in Institut. lib. 4. cap. 20. sect. 15. 16.*  
*D. Pet. Martyr. sup. 1. lib. Samu. cap. 25. sect. 42.*  
*M. Beza. in decima Epistola, and many others.*

So that from hence is to be observed, that the approbation, disprobation, tolleration, and moderation of *Usurie*, depend vpon the Magistrate. Hereof saith *M. Calvin*, The *Usurer* must take heed that he exceede not that rate of the Countrey where he liveth. *Bullinger* saith, The Magistrate must keepe the *Usurer* in with good lawes. *Labother* is of that opinion. *Zwinglius de dupl. Iustic.* saith, I thinke of *Usurie* thus, when the lawes of a Magistrate doe permit it, it may be vsed, but if the Magistrate forbid it, it must of all sortes be obeyed. *Heminge-ss* is of that mind.



## *Lawes made against Usurie.*

**T**He Emperour *Leo* did make a Law against *usurie* that whatsoever any man did take, shoulde be received into the principall. *Hermenopol. lib. 3. tit. 7.*

Pope *Martin* in the counsell he called did forbid *Usury*, and *centesimam usuram*, and that gaine which was got by any filthy trade. *Ex concil. Ma. Papa.*

Pope *Leo* did likewise forbid the same as sorry any Christian man should be an *usurer*.

In



In the *Synod of Nicen*, wherein were assembled three hundred and eightene fathers, in a Canon they made did condemn all *usurie*. in Decret. 47.

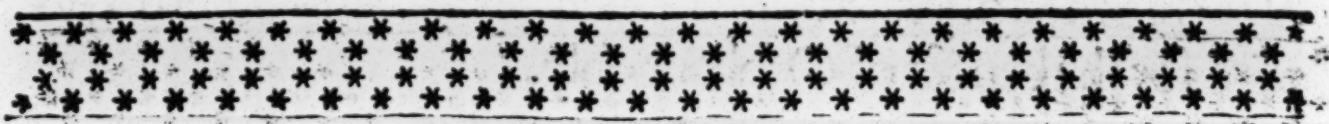
There were many decrees to forbid *usurie* in the Clergie.

If he did put out money to *usurie* he should be none of the Clergie. 33. d. *Martis* d. 46. *seditio*.

If he tooke 12. in the 100. more or lesse he should be degraded and made irregular. *Concil. Nicen.* 18.

|                                                                           |   |                                          |
|---------------------------------------------------------------------------|---|------------------------------------------|
| There were Canons made<br>for the Laity, being an<br><i>usurer</i> he was | { | suspended from the Communion.            |
|                                                                           |   | excommunicated out of the church.        |
|                                                                           |   | not capable to make a will of his goods. |
|                                                                           |   | not to be admitted to Christian buriall. |

Yea, the Canon Lawe saith, No man need to care what become of an *usurer*.



## *Lawes made to moderate Usurie.*

**S**olon made a law among the *Athentans* and he did allowe *de centum aureis singulis mensibus aureus unus*. *Heming*.

The Romane Emperour *Iustinus* ordeined a law in his time for the tollerating of 4. 6. 8. 12. in the 100. according to the degrees of men. *Heming*.

*Tully* maketh mention in his time of another Lawe, how at the first there was graunted 1. in the 100. afterward 4. in the 100.

The Civill lawes in the *Code de usuris* doe permit the hundred and halfe hundred part.

By the law of *Pandect* and *Constantine*, *Usury* is tollerated in some sort.





*Statutes and Lawes made by Kings and  
Governours within this land concerning  
Usurie.*

**I**N and before the Raigne of King *Henry 3.* the Lawes for Usury did consist in the holy Canons of the Church and were punishable by them. I read of *Iustinus* the Emperour how in his Constitution he did ordaine that the holy Canons of the Church should haue power and authoritie against the Lawes of Usury.

These Lawes being so straight and generall, the saide King *Henry* in the 20. yeere of his raigne cap. 5. did make this *proviso* for the benefit of Orphans only.

**I**T is provided and granted by the King that from henceforth Usuries shall not turne against any being within age from the time of the death of his Auncestour (whose heire he is) unto his lawfull age. So neverthelesse that the payment of the principall debt with the usurie that was before the death of his auncestour (whose heire he is) shall not remaine.

*Musculus* saith, that our predecessours vsed the order of pupils and orphans before the pestilent plague of Usurie had profaned and defiled the Church, and were contented to permit that in them, and in none else.

It appeareth by this braunch that all Usury is condemned save in orphans.



14. Edward. 3. Chap. 5.

**K**ing Edward made this Lawe. The King and his heires shall have the Consuſance of *Uſurers* dead, and the ordinaries of holy Church shall have the Consuſance of *uſurers* on lieſe as to them appertaineth to make compulſion by the Censures of the holy Church for the ſinne to make reſtitution of the *uſuries* taken againſt the lawes of holy Church.

This is the firſt law at large that I can finde for *Uſurie* in the Statutes ſince *Magna carta*, wherein all *uſury* is generally condemned.

3. Henry. 7. Chap. 5. 6.

**T**his King made a ſtrict law, eſpecially for theſe damnable bargaines of *uſury* coloured by the name of new *chriſtianitie*, ſuch as dealt corruptly in it were to pay an hundred pound. Alſo if any man did lend 100. pound and tooke 120. more or leſſe in money or marchandiſe &c. was to looſe his principall. Here hee condemned all *uſurie*, but in the 11. yeere of his taigne chap. 8. he repealed the former act and enacted another to this effect.

All manner of perſon or perſons lending monie to and for a time, taking for the ſame to be any thing more beſides or above the money lent by way of contract or covenant at the time of



the same lone (saving lawfull penalties for default of paiment) was to forfeit the moiety or one halfe of the principall there be other branches therein concerning corruption by way of chencifance, &c.

I observe from this how no *vsurie* is condemned but that which is imposed vpon the borrower *by way of contract or covenant* at the time of the lending, if there were no contracting for gaine there was no breach of the Lawe, so that the borrower was not barred by this, but that he might gratifie the lender at his owne election.



### 37. Henry. 8. Chap. 9.

**K**ing Henry repealed all the Lawes and statutes made concerning *vsurie* before, and doeth enact, that if any man take above 10. in the 100. for a yere or more or lesse money after that rate, he should loose treble the value of the summe lent; it is so likewise in chencifance and wares, diuers other clauses and branches be therein.

This Statute is intituled an act against *vsurie*, it doth not perswade any to take *vsury*, but restraine him to certaine orders, the husbandman suffereth many weedes to grow in his ground he likes not, so this law doth tolerate that it allowes not, it remits men of punishment that take but 10. in the 100. but it doth not warrant them to take any at all. Therefore *M. Bea* well noted, that the civill lawes of Princes by reason of the impiety of the people are often times tolerated when they cannot be taken away.



5. & 6. *Edward. 6.*

**K**ing *Edward* repealed the former act of King *Henry* 8. and forbiddeth generally all *usurie*. He that tooke any should not onely loose the principall with the vse, but also be punished with imprisonment and make fine and rancome at the Kings pleasure.

The common saying is, some will take an ell where is given an inch: that liberty which that man of famous memory, King *Henry* 8. gave was abused, therefore his sonne to avoid an inconvenience did cut off the occasion: but as water being pent doth strive more vpward, so the *usurer* being restrained he waxed worse, and therefore this Statute of King *Edward* continued not long.

Of all these Statutes before mentioned none remaine in force, but some of the braunches of the Statute of K. *Henry* 8. now I think it very necessary to handle more copiously some of those particular and speciall clauses which be included in the last act against *usurie* as a matter very expedient to be published, that many which knowe not how farre it extende may thereby avoid many extremities.



13. *Elizabeth Reg. Chap. 8.*

**O**ur gracious Queene *Elizabeth* repealed the former act of her brother K. *Edw. 6.* and doth revive the Statute of  
D 2 *K. Henry*



K. Henry 8. in this sort, that (whereas it is the honour of English lawes to be favourable) the acte of K. Henry should be most largely and strongly construed to the repressing of *usury* and punishing offenders therein.

In the rest of that Statute which is now in most force there be 4. clauses or braunches most specially and necessarily to be noted and explained.



### 1. Braunch.

*All bondes and contractes &c. for money or other things whereupon shall be reserved or taken above 10. in the 100, shall be void, &c.*

This is a dangerous clause in two *Si.* by his owne fault. respects, &c may happen to a man *22.* by the negligēce of others.

If a man for gripplenesse will reserve more then 10. in the 100. although he never takes it his principall is lost. And this I deeme his owne fault.

If the writer deceiue a man in the making or dating of a bond, without the lenders privitie, his mony is lost although he had no such meaning. And this may happen to many a simple man through the negligence of others.



### 2. Braunch.

*He that takes above 10. in the 100. for money, wares, &c shall forfeit thriſe as much, besides imprisonment, fine, and Ecclesiasticall correction.*

There is difference betweene reserving and taking *usurie*, he that reserves it, needs not take it vnlesse he will, but if he take it, he



he is sure of that he referred: it is a lesser time to promise, then performe it, and a lesse hurt to reserve, then to take *Vsurie*: therefore this clause is more straight then the former. A man may hazard himselfe and his goods herein many waies.

1. If a man takes about 10. pound in the 100. directly, he is convicted by this branch.

2. If a man takes about 10. pound in the 100. indirectly, he is in great daunger.

Indirect taking is many waies to be taken: but I will note 2. especially.

The taking of money but a day lesse then a yeere, may indanger one, &c.

There was one indebted to an *Vsurer* in a great some of money, the borrower dwelling farre off, came a day or two before his day of payment, and (with a friend of his) requested the *Vsurer* to take his money, saying that he came farre, and was at charges, and therefore would gladly giue him his whole allowance; after many intreaties the *Vsurer* tooke his money, but the borrower procured him a trebble mischiefe afterward.

He that takes but 10. pound in the 100. in money, and the borrower bestows some other gift of him, I cannot see how safely the *Vsurer* may take it without offence to the Law, if the borrower be not the better man. I heard it credibly reported of one that lent 200. pound to two men for a yere; the day being expired, and they vnprovided to pay the money, brought not onely the consideration, but to perswade the lender to let them haue the money an other yeare, they would needs inforce vpon him as a free gift a gown-cloath which he refused, neuerthelesse vsing apt perswasions, that they had gained greatly by the money, at length by their importunitie, he rooke it, but how he was vsed afterward by the meanes of these men which gaue the gift, it were too odious to open. It were pitie that the othe of a borrower



tower should be any way beneficiall to himselfe about the thing he borrowes, there are many will not sticke to bestow an othe if their creditours doe but crosse them, or call for their owne.

3. One mistaken worde of a writer, or false othe of a borrower, may hazard a man herein.



### 3. *Braunch.*

*He that takes aboue 10. in the 100. for money or wares, shall forfeit so much as shall be reserved by way of vsurie, &c.*

**T**His branch is more fauourable then the former for two causes.

1. Because the *Vsurer* shall be punished but with the losse of that he receiue without perill of the principall.

2. Because he shall haue no temporall or ecclesiasticall correction, though he loose that which he taketh aboue the principall, so it be but, or vnder 10. in the 100.

When K. Henry 8. did tollerate 10. pound in the 100. many abused that libertie vnder the colour of the Law, and when K. Edward 6. had vtterly taken away all *vsurie*, this inconvenience came, fewe or none would lend because they might haue no allowance, whereupon her Maiestie to auoyde this euill, made this remissiue clause.

This



This *Branch* doth allowe no *Usurie* at all, but doth leaue it after a sort to the curtesie and conscience of the borrower: for as the Lawe doth conuict no man without prooffe, or take knowledge of this offence without information, so it is to be presumed, that none can so fitly be an approouer as he that findeth himselfe grieved, which of necessity must be the borrower because he payeth the *usurie*.

The borrower hath this libertie by this branch for his owne benefit.

1. If hee promise *usurie*, he neede not to pay it vnlesse he will.

2. If he pay *usurie*, he may recouer it againe if he be grieved.

3. If he be willing to pay *usurie*, he is at his owne choice to complaine.

Most of these common, or rather cunning *Usurers*, are come to this passe, because the law alloweth no *usurie*, they will put in no *use* in their bonds, but leaue it to the courtesie of the borrower, if he giueth *use* they will take it, if none, they will note him another time when he standes in neede, and for this cause, because they are doubtfull of mens dealings, they will not put forth their money aboue 3. moneths, that the borrower can hardly make any profitable returne of it in so short time.



*Branch.*



#### 4. Braunch.

*This Statute doth not extend nor shalbe expounded  
to extend unto any allowances or payments for the  
finding of Orphanes according to the auncient  
rates or customes of London, &c.*

**I**T is a godly act, that those should be provided for that cannot provide for themselves; the Scripture willeth that the *fatherlesse* should be provided for. K. Hen. 3. K. Hen. 8. and our gracious Queene Elizabeth, haue for good causes graunted and continued this allowance: their allowance is 5. in the 100. which *Hemingeus* prooues to be lawfull, because it doth not fall into the contract of *Vsurie*: his reason is this, *Nam nec tiores de alieno obligantur mutuare, nec qui mutuum accipiunt, ubi nulla, nec diuina, nec naturalis precessit obligatio seu debitum, in se gratitudinem pro accepto beneficio recusare possunt.*

There is great reason why allowance may be graunted to *orphanes*, and not to men.

Men haue wit and discretion to imploy their money in many things, though they lend not vpon *Vsurie*. With their money they may buy house and land, and saue by a reasonable rent, or wares, and make a reasonable gaine, or come or cattell, or other commodities and receive a reasonable commodity.

The *orphan* as he is yong in yeares, so he is in discretion, and wants that foresight in trading & traffique in the world, which experience of more yeares may bring at mans estate.

But it may be objected, that the *orphans* money may be imployed



ployed by an other, some other way then by allowance, so it may be alledged, vnlesse the tutor or gouernour be an honest man, it will neuer be improoued, but he may impaire it vnder colour of many losses without iust cause, and so defeat the pore orphan of his portion, therefore very conuenient is this proviso; for whatsoever gayne is got by the orphans money by others, yet the orphan shall be sure to haue some allowance towards his education during his noneage, and his stocke to be safe at mans estate for his maintenance.

I haue dilated this whole *Statute* for two causes:

1. The knowledge of the ignorant.
2. The benefit of the *Vsurer*.

There be many simple men which hauing no insight into this *Statute*, are not ashamed to say that it alloweth 10. in the 100. which indeede is a meere scandall and slander: for it inflicteth a kinde of punishment, by the losse of the least *Vsurie* that is taken: therefore such as be ignorant of this *Statute* may now know it.

The *Vsurer* may see by this *Statute*, how many aduentures he is subiect to by lending his money to *Vsurie*; although he doth not *quoad eventum* like the husbandman that soweth his feede, or the merchant that crosse the seas, aduenture: yet for all he doth *quoad media* vse all the best meanes to saue his owne, he may be intercepted, and therefore he may learne to imploy his money otherwise to his benefit as well as others, and albeit his gaynes be greater many waies therein then after 10. in the 100. it wilbe lesse noted, and himselfe better esteemed.

The chiefe ende I aymed at in the distribution of this *Statute* is, to draw an argument from the same to this effect,

*Those which write and speake most for Vsurie, say it depends upon the positive Law of the land.*



— But the positive Law of our Land admits no *Vsurie*, but allowance for orphans.

Therefore no *Vsurie* may be taken of any but allowance for orphans.



## Whether *Vsurie* may be taken of Rich-men.

**M**Any are of the opinion that *Vsurie* may be taken of the Rich without offence to the word of God, by permission of the *Magistrate*.

*M. Calvin* writing vpon that place in the 22. of *Exod.* If thou lend money to my people, that is, to the poore with thee, thou shalt not be as an *Vsurer* to him, maketh this exposition: *Non nisi de pauperibus haberi sermonem, ideoq; si cum diuitibus negotium sit, liberum ius fœnerandi permitti*: his reason is this, *Quia legislator rem unam notando, alteram de qua subticet, videtur non damnari*, he saith by all necessarie consequence, the expresse and speciall prohibition of the poore by name, doth giue an intended and intellectual permission to others: in so much as he flatly affirmeth in another place *vsuras quaslibet absque exceptione damnare nulla patitur ratio. octa. pra. 375.*

*M. Bucer* giues many instances to this effect, which for brevity I will omit.

*Hemingeus* approoves this kinde of *vsurie* euen from the very lawe of lending: for he saith, *Indigentibus solis gratuita mutuatio debetur. & non auaritia insatiabili servire debet.*

Euery contract which in his kind or by circumstances ought to be free, if there be a compact to receiue any thing besides the prin-



principall est *Vsurarius contractus*, & properly this is called *Vsurie*. *Gersonis regula*. From hence *Hemingeus* saith, *non esse vsurarium contractum*, which by circumstances ought to be free. The free contract of lending concerns the poore, but if the Rich borrow, he saith, *dico Vsuram hic proprie non committi propterea quod beneficium istud fuit liberum ad quod nec diuino nec naturali iure eras obligatus*: and in another place he saith, *Quid enim peccat qui pro beneficio expectat gratitudinem*, and affirmeth that it is naturall equitie, that for a good turne *quod non iure debemus* another be done, that there may be equalitie.

That the libertie may appeare to be lawfull for *vsurie* of the Rich, you shall heare the learned opinions of some vpon the 15. *Psalme*. *Lord, who shall dwell in thy Tabernacle? He that hath not giuen forth vpon Vsurie*.

*M. Calvin* saith, that the name of *Nesek* which *Dauid* vseth, beeing deriued of byting, declareth sufficiently that *vsurers* are condemned so farre forth as they draw with them a libertie to pill and poll. In another place he saith, *Si obijciant fœneratores à Davide & Ezech. in totum damnari, sententias illas ad normam charitatis exigi debere arbitror: ideò, non damnari nisi improbas exactiones, quibus creditor, posthabita equitate, debitorem suum onerat, ac premit*.

*D. AEpinus* writing vpon the 15. *Psal.* doth name 3. kindes of men, *Mendicantium, Indigentium, & eorum qui sunt Locupletes*, and after he hath learnedly and largely handled the matter, he concludes thus, *in tertio ordine non committi vsuram*.

*Hemingeus* vpon the 15. *Psal.* saith, that it is manifest that the *Psalmist* doth there speake of biting *vsurie*, because he doth vse this word *Nesek. quod à mor su nomen habet*: further he saith, that in this *Psalme* is forbidden but that *vsurie qua ante in Mo- se fuit interdicta*, and this is his reason, *Propheta enim nullam nouam doctrinam afferunt sed tantum Mosis sunt Interpretes.*  
fol. 958. E 2 S. Au-



*S. Augustin* hath a sensible saying, where things are more plainly vttered in the Scripture, there must we learne how they are to be vnderstoode in obscure and darke places. *August. lib. 83. quest.* from hence some frame a reason thus;

If all parts of the Scripture expound one an other (as they doe by the opinion of *Chrysostome 2. Gen. homil. 13.*) then ye must confider, that as all riuers runne they neuer so crooked, haue recourse from the fountaine as the head, so all future places of prooffe concerning *vsurie*, seeme they neuer so obscure, haue reference and doe rely vpon the former, which *M. Calvin* and *Hemingeus* haue expounded before to concerne the poore.

These learned men are to be reuerenced for their opinions, because they reconcile themselues after a sort in their owne sayings: for whatsoeuer they approoue in particular & respectiue-ly for *vsurie*, they condemne generally by their conclusion.

*M. Calvin* saith, *Præceptum mutuandi absque fœnore, politicum est*, and doth no further allow of *vsurie* then the lawe of the Magistrate permitteth.

*Hemingeus* prooues some *vsurie* lawfull, but how? *si ser- uatur equalitas quam Magistratus statuit.*

*D. AEpinus* though he saith *in tertio ordine non committi vsuram*, yet he addeth this, *modo alioqui ab equalitate non de- cedatur*, which is to be appointed by the Magistrate.

These men doe no further defend *vsurie* then they referre their iudgements to the law of the Magistrate, we hauing no law to approoue it, their opinions are satisfied.

*Certaine reasons why some rich men  
ought not to borrow vpon Vsurie.*

What should moue a Rich man to borrow money, hath he not  
corne



corne to make mony of, yet he perceives that markets are little worth, and therefore he doth reserve it to that ende the Iewes did at *Ierusalem*, *Amos* 8. to make a dearth, and not as *Ioseph* did in *Egypt* to relieve the famished.

Another hath great store of cattell, and may sell some of them for money, but it may be, that cattell beare no price, or his grounds be vnderstored.

Many haue diuers other things which they may well forbear and sell in respect of any want which they doe spare and reteine vpon some covetous fore-casts: for they presume they shall loose lesse by allowing after ten in the 100. for money, then by present sale of any of their comodities at those ordinary prices.

Rich-men I confesse may somtime want money and borrow for good and necessary considerations, but most commonly what cause doth constraîne most of them to borrow: alas, it is lamentable to expresse.

One seeth an house and ground of his neighbours that were fit to be laid to his owne, he will vse all the meanes that may be to have it, (as *Ahab* did by *Naboth* hee would needes have his peece of ground to make him a garden, because it was neere his house 1. King. 21. 2.) if he wants mony to purchase it, he will take it vp at Vsaris.

Another hath entred into a great purchase which hath a common appendant to it for the benefite of the poore, which he meanes to aprone to his owne vse (a thing too common in these daies:) the Prophet could see this in his time: for he saith, *They covet fieldes, and take them by violence: and houses, and take them away, so they oppresse a man and his house.* Micah. 2. 2. If he wants money to wade through withall, he will non sticke to visit the *vsurer*

There be others which be the cormorants of a Commonweale that borrow mony of purpose to buy corne, to hoord it



32  
The manner of a Justice,  
vp to inhaunce the price, to ship it away to make it scarce, vsing  
all pollicie against Gods providence to make a famine and there-  
by procure the curses of the poore, Prov. 28.

There be others that borrow mony to consume in prodigall  
maner, in bravery, banquetting, voluptuous living, & such like:  
they consume that in wast which many poore doth want, the  
costly apparell on their backs do so stick in the mercers bookes,  
and the dainty cates for their bellies, doth so soake their purses,  
and the riotous company they keepe is such a moath to their  
mony that they are inforced through folly to resort to the *vsu-*  
*rer* as their best friend, and very glad are they if they may get  
mony: though they obtaine it by pawning their iewels, plate, or  
landes.

If any of these or others like these do borrow mony for these  
or the like purposes. He that doth lend them any doth procure  
a great mischief, or if he hath any foreknowledge of it or sus-  
picion of such a pretence, he is partaker of the sinne and curse  
whereof the borrower is culpable. *Heming*. saith, we ought not  
to lend to such neither by divine, natural, or humane law, which  
do abuse mony to theirs and others destructions, his reasons fol-  
lowes. *Nam qui occasionem damni dedit, damnum dedisse vide-*  
*tur, quamobrem fit reus alieni peccati ac solum proprium onus*  
*sibi non satis esset.* And it appeareth in the Roman. i. 31. that not  
onely the followers but such as were favourers and furtherers  
of evill were reprooved and punished.

This inconvenience hath growen by reason of lending to the  
Rich, since they began to borow the law of free lendidg to the  
poore hath bin laid aside: for it is now come to this passe that the  
poore man shall sooner begge then borrow, because the *vsurer*  
thinke all lost that is lent to him, or litle to be got by lending vn-  
to him. He that will lend to the rich to serve his sinister commo-  
ditie, when he ought to lend to the poore to satisfie his necessi-  
tie,



tie, such thrift is a braunch of theft by the opinion of D. P. Martyr vpon the 2. Rom. and all his mony will but turne to his own misery.

The *Vsurer* is taught generally in the word to lend, most especially to his neighbour in the time of his necessity *Syrac. 29.* *Hemingeus* writing vpon this place, saith. *Hic aperte sapiens restringit mutationis debitum ad necessitatis tempus.* It is commanded by Moses, *Thou shalt lend him sufficient for his neede which he hath. Deut. 15. 8.* It is commended by David, *The righteous is mercifull and lendeth. Psal. 112. 5.* It is imitated of the godly, *I my breethren and servants (saith Nehemiah) doe lend them money and corne. Nehem. 5. 10.*

Sithens we ought especially to lend to the poore, euen from the very nature of the law of lending it selfe, it were very necessary to distinguish the estates of men, that the poore man may be the better knowne, thereby to take away all colour of excuse from the *Vsurer*.



*A description of some such poore men as  
WE ARE COMMAVNDED TO  
lend vnto without Vsurie.*

**T**He begger that liveth of Almes, such an one as is blind, lame, or having other defectes of nature, to this man we are precisely inioyned to give & not properly said to lend, vnlesse it be to the Lord. *He that hath mercy on the poore, lendeth to the Lord, Prov. 19.* for he cannot restore that which he receive. Hereof saith the *Preacher*, *Cast thy bread vpon the waters. Escl. 11. 1.* as a thing lost, this is none of those poore-men properly to whom the scripture willet any great summe of mony to be lent, but otherwise to be relieved.

These



These are to be noted } *Artificers*  
 } *Labourers*  
 } *Husbandmen*  
 } *Young married men* } in the number of  
 the poore.

## *Artificers.*

**T**He *Artificer* which hath nothing but his bare fingers and tooles to get his living respecting his charge is to be deemed a poore man: for as cunning without tooles can do nothing, so tooles without wherewith can not be set on work, and without worke the man shall soone begge, yet having worke he may live in want. To this man we must not only lend without *vsurie*, but (if we mistrust him) we must take such a pledge as he may well spare: it appeareth so in Deuter. 24. 10. *Thou shalt not goe into his house to fetch his pledge, but thou shalt stand without, and the man that borrowed it of thee, shall bring the pledge out of the doores to thee.* And this standeth with great reason: for if a man should take his tooles to pledge, he shall not save so much by borrowing as he shall loose by his worke for want of his tooles.

## *Labourers.*

**T**He *Labouring-man* that hath neither house or home of his owne to hold his head in but liveth onely of his bare & bodily labour is to be accounted a poore man, whose necessitie is such sometime as he must needs borrow, and vpon such a pledge as he cannot well forbear, as his garment or such like, therefore we must neither take *vsurie* of him nor deteine his pledge; for it is written, *If it be a poore body thou shalt not sleepe vwith his pledge, but shalt restore it when the Sunne goe downe,*



downe that he may sleepe in his raiment. *Deut. 24. 12. Exod. 22. 26.* and it is an horrible thing to withhold it, it is this that make the Prophet cry out against the Rich, *They lie downe vpon clothes laide to pledge, Amos 2. 8.* & Iob describing the impiety of the wicked saith, *They take the pledge of the poore. Iob 24. 9.*

## Husbandmen.

**T**He *Husband-man* that hath but a simple cottage of his owne and keepeth a beast or two upon the common to maintaine his charge, is to be esteemed a poore man, whose estate is such as ministreth occasion to borow; to whom we ought to lend without *vsurie*, and yet we must not take his cattell for a pledge: for it is reprovved, *You take the widowues Oxe to pledge. Iob. 24. 23.* lest in so doing we sooner impoverish then pleasure him: and it is no more tollerable then to take the nether or the vpper milstone to pledge. *Deut. 24. 6.* for this gage is his living.



## Young married men.

**T**He *Young married man* that is bare to begin the world and wants wherewith to furnish and follow his trade, is to be esteemed a poore man: the originall of the custome of money-mariages was made as a meane for the benefit of new beginners, to the end they might gather some stocke to set vp withall, (which offriings are now commonly abused amongst the better sort.) For this cause many godly men have giuē great



summes of mony to remaine as a stock for ever in the cities and townes where they dwelt, that it might be freely lent to benefit such poore beginners, therefore *Hemingens* noteth this to be one, to whom we ought to lend without *vsurie*.

Generally { He is to be deemed a poore-man which hath need to borrow and hath nothing that he may conveniently forbear to make money of.  
 { He is a rich-man (in respect of the other) that borroweth when he hath somewhat which he might very well spare to make money of.

To take *Vsurie* of these men or such like whose poverty appeares either in our conscience or acquaintance, it is a most odious act: for not only the word of God but all Writers do especially condemne this. The places of Scripture are before expressed, the opinion of some auncient writers follow.

*An crudelior est*, saith *S. Augustine*: Is he more cruell that taketh any thing by force from the rich, then he which doth crucifie the poore with *vsurie*.

*Nihil vsuristurpius*. *S. Chrysostom* saith, there is no *vsurie* more filthy then that which is taken of the poore.

*Vsuras querere*, saith *S. Ierome*. To take *Vsury* of such it is all one to deceive or drawe away by violence.

*Sine ferro dimicat*. *S. Ambrose* to that effect saith he doth revenge him selfe without a sword that taketh *vsury*.

### *A præmonition for poore men.*

**A**S you are desirous to borrowe when you neede, so you must be carefull to pay when you borrow, although you ought



ought to pay no *vsurie* at all, yet I cannot finde in all the scriptures but that you ought to pay your debts. The Psalmist saith, *The wicked borroweth and payeth not againe*. Psal. 37. 21. the poore widow made a conscience to pay her debts that had but a pitcher of oyle, for this cause the Prophet did increase her oyle, and willed her first to go sell some of it to pay her debts, & shee and her children to live of the rest. 2. King. 1. 2. there is now no fruition of the 7. yeere of freedome vnlesse the Creditours of their conscience will release their debts.



*The opinion of Writers concerning*  
V S V R I E.

**S.** *Barnard* calleth *vsurie*, *venenum patrimonij*, the poyson of a mans inheritance, he saith in another place, *Quid est usura legalis? latro pradicens quod intendit scilicet rapere.*

*S. Chrysostome* saith, that *vsurie* in his time was accompted an extreme impudencie. hom. 57.

*S. Hierome* saith, *vsurie* is a speciall cry of sedition.

*S. Basil* vpon the 14. Psalm. saith that *vsurie* have beene the meanes to bring many an one, to the halter, his meaning is by paying *vsurie* they haue growen poore, and so fall a stealing, and at last come to hanging.

*Iustinus* the Emperour in the civill law saith, that to take *vsurie* is to rob by order and sufferance of law.

*M. Beza* saith, Christian charity forbiddeth a man to put forth mony to *vsurie*.

*Bish. Iuell* saith, that *vsurie* hardeneth the heart: it is the curse of God and the people.



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S. *Ambrose* vpon the 22. of *Ezek.* saith, See how the Prophet hath coupled *Idolatri* and *Vsurie* together that one might counterpoise the other in euill.

*Pomerianus* saith, that *vsurie* is the present poyson of the Church and common-wealth.

*Musculus* saith, graunt *vsury* and then take away the law of loue: he tearmes it in another place, the fire of *Vsurie* as a thing that consumes.

*Lactantius* saith, let a Christian take this course, that in lending he take no *vsurie*, for that is against the law of lending. lib. 6. cap. 18.

*Vna principalis ratio Bartholomei Sepolitani.* against *vsurie*, if a man should pay for that he borrow, he should give increase for his owne, for he that lendeth doth transferre the dominion and the vse together.

*Melancthon* doeth alledge the like reason, lending to *Vsury* fighteth with æqualitie: for the rule of æquality saith it is not lawfull to make a gaine of another mans goods.

*Luther* complained in his time that *Vsurie* had overthrowen whole countries.

The auncient Romans for a time abhorred *Vsurie* as a speciall enormitie, but after they gave entertainment to it, it turned to to their destruction. *Hem.*

*Egypt* was overwhelmed with *vsury*, and so were the *Iarmyns*.

The *Persians* abstaine it as a practise of lying and deceit.

The *Indians* can not abide it, nor the *French-men*.

The *English-men* haue loathed it as *Chronicles* record before the *Danes* and *Saxons*.

Most countries haue contemned *vsury*, as a thing very odious and against nature, therefore many which were led but by the light of nature haue inveyed against it.

*Aristotle* saith, that *vsury* is against nature: his reason is this,



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this, *Pecunia natura non potest parere ergo usuram ex pecunia capere pugnat cum natura.*

*Plutarcke* saith, that it is against nature to take *usurie*, for this cause *Ex nihilo nihil fit.*

*Alphon sus* saith, that *usurie* is the very death of nature.

*Cato* beeing demanded what it was to take *usurie*, answered, *Quid hominem occidere?*

*Plato* made a law, that he which tooke *usurie*, he should lose both the principall and the *usurie*. And for that it was so execrable, he did expell all *usurie* out of his common-wealth. *in quinto de legibus.*

I could repeate many others to this effect, but we may perceiue how *usurie* hath beene esteemed by these; although it be a principle in reason, that the practise beeing ill reputed of, the practitioner can haue no better, yet it shall not be amisse to set forth the discredibile account hath beene made of *Usurers* in most ages and times.



### *How Usurers haue beene accounted of.*

**H***emingens* beeing a boy, saith he could not remember above 2. knowne *Usurers* in the lande he liued in, they flourished a while, but their children after them came to pouertie and reproch, so true is that *verse*,

*Ex male questis non gaudet tertius heres.*

In the 12. *Centuries* 4. chap. it is reported by those that wrote that ecclesiasticall *Storie*, that there was not an *Usurer* to be found in all the countrey, and if an *usurer* came to be knowne, his houses were called the devils houses, his fields the devils croppe, &c.

*Brun.*



*Brunnion* preaching vpon a time to his people in the presence of some *vsurers*; he demanded if any *vsurer* were present, not an *vsurer* would speake: insomuch as he asked if any Scavenger were there: a Scavenger made answer he was one: hereupon the preacher said, the scavenger was of better account then the *vsurer*: for the Scavenger was not ashamed to heare and answer to his name and title when he was called, but the *vsurer* was.

The *Vsurers* are ashamed at this day of their title, more then other men: some write themselves gentlemen, merchants: others, grocers, mercers, but they will not write themselves *Vsurers*: for indeede they are ashamed of the name and word of *vsurie*, and therefore they haue got these fine tearmes: they will not say, let their money to *vsurie*; but to *interest*, or put it to *vsans*, or *they take consideration, rent, or an honourable reward*. If they did thinke well of *vsurie*, they would neuer cloake it vnder other contracts.

*Dauid* praying against his enemies, Psal. 99. wisheth them this plague, *Let the extortioner take all his goods*. The *Septuaginta*, *Pagne*, *Tremellius* and *Iunius* translate this word extortioner, *Vsurer*.

*Musculus* commenting vpon the same place saith, see howe *Dauid* praies that his enemies might light in the *vsurers* hands; noting thereby what a curse it was to goe to an *vsurer*, and howe the *vsurer* was the meanes to convey the same curse to others.

The Prophet *Amos* chap. 8. cryeth out against such as solde the poore for old shoes. *Gualter* writing vpon that place saith, it is common to all, but specially to the *vsurers*.

*S. Ambrose* complained in his time, that by the meanes of *vsurers*, parents were inforced to set forth their children to sale, or binde them to captiuitie, for the payment of their debts, and yet



yet neuer came to possesse their inheritance.

*Luther* reports that *Cæsar* commāded that an *vsurer* should not be counted and iudged by law an honest person.

*M. Calvin* saith, it is rare to see an honest man and an *vsurer*.

*Baldus* saith, an *vsurer* is a defamed person, and shall not enioy such goods as are giuen him.

*Hemingeus* saith, the *vsurer* might not make an offering at the altar, neither was he preferred to dignitie or called to offices.

Those which trauell the low Countries say the *vsurer* is so basely accounted of, that no man will be in his companie, and you shall sooner get one to goe to a brothel-house then to an *vsurers* house.

The celebration of a masse would neuer suffer the *vsurer* to kisse the paxe; none would fetch fire at an *vsurers* house; the boyes wondred and all men hist at an *vsurer*.

A thiefe was better esteemed then an *vsurer*: for a thiefe was to make but double restitution, the *vsurer* quadruple. *Heming. Iac. 5.*

*Licurgus* would not suffer an *vsurer* to dwell in *Sparta*, nor *Plato* any to dwell in *Gracia*.

If the Scripture willeth vs to shunne things of ill report, what account shall we make of an *vsurer* that hath so bad a report.



### *Epiphonema.*

**W**Hether we are to regard in these *Writers*, *the time*, because it is many yeres since some of them wrote; or *the place*, because most are forrain writers, where the  
gene-ra-



generation of the *usurers* hardly rooted out; or any such like  
circumstances. *Comes* I would not wish the *usurer* to stand vp-  
on such cauls, but seeing not onely the word of God, but all a-  
ges, nations, lawes, and sects of persons doe condemne *usurie* as  
a sinne most odious and opprobrious, I would haue him ob-  
serue that same fast in *Esay* 58.6. *to loose the bonds of wickednes.*  
*S. Hierome* writing vpon that place, vnderstands by it the ex-  
treame bonds that *usurers* wrappe others in, So  
getting his goods in the feare of God, they  
will be to his comfort while he liueth,  
& without pricke to his con-  
science when he  
dieth.

**F I N I S.**





